

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

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|---------------------|---|---------------------------|
| LUIS GARCIA, | : | CIV. NO. 22-7231 (RMB) |
| | : | |
| Petitioner | : | |
| v. | : | MEMORANDUM OPINION |
| | : | |
| WARDEN OF FORT DIX, | : | |
| | : | |
| | : | |
| Respondent | : | |

IT APPEARING THAT:

1. On or about December 12, 2022, Petitioner Luis Garcia, a prisoner confined in the Federal Correctional Institution in Fort Dix, New Jersey (“FCI Fort Dix”), filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, alleging the Bureau of Prisons (“BOP”) unlawfully found him ineligible for application of First Step Act (“FSA”) Time Credits because he is subject to an immigration detainer. (Docket No. 1.)

2. On April 27, 2023, Respondent submitted a letter brief in lieu of an answer, arguing that the habeas petition is moot because the BOP revised Program Statement 5410.01 to remove reference to immigration detainers rendering inmates ineligible to apply FSA Time Credits. (Declaration of Cyntrena Cross-Peart, Docket No. 7-1, ¶ 12.) Therefore, BOP calculated and applied 195 days of FSA Time Credits toward Petitioner’s release date. (*Id.*, ¶¶ 13-14.) Respondent contends the habeas petition is moot because the case no longer presents a live case or controversy. (Docket No. 7 at 2.)

3. “If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.” *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698–99 (3d Cir. 1996).

4. Petitioner has received the habeas relief he requested. Therefore, the petition is moot, and the Court will dismiss this matter.

An accompanying Order follows.

DATE: **May 3, 2023**

s/Renée Marie Bumb
RENÉE MARIE BUMB
Chief United States District Judge